



Wichita Police Department Policy Manual

Approved by:

Policy 211-Leaves of Absence

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Maintained by: Information Services

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GENERAL PROCEDURES

- 211.01 All leaves of absence [compensatory, vacation, holiday, sick, injury, emergency, civil, professional, educational, military, and other] will be taken in accordance with:
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- A. The current Memorandum of Agreement between the City of Wichita and the Fraternal Order of Police, Lodge #5, Wichita, Kansas;
 - B. The current Memorandum of Agreement between the City of Wichita and the Service Employees' International Union #513, American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), CLC;
 - C. The City of Wichita Human Resource Policy Manual.
- 211.02 All anticipated absences of both Exempt-status and Non-exempt status members of the Department require prior supervisory approval.
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- 211.03 Whenever a Non-exempt member of the Department is absent from work for other than a regularly-scheduled day off, he/she must complete the online WPD Leave Form (#323-567) and submit it electronically for his/her immediate supervisor's approval.
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It is the approving supervisor's responsibility to enter leave into the Bureau Lineup found on the Police Secure Portal.

- 211.04 Absences by Exempt-status members of the Department will be subject to supervisor approval and paid in accordance with the City of Wichita policy for exempt employees. Partial day absences will be considered administrative leave and will not be charged to sick or vacation accruals with the exception of partial day absences charged to Family Medical Leave (FML). Full days taken as sick leave, vacation, or other authorized leave, and partial day absences charged to FML must be reported on an online Exception Payment Record (City form # 000-058) and submitted electronically for his/her immediate supervisor's approval.
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VACATION LEAVE

- 211.05 Each document mentioned in Section 211.01 confers authority to schedule vacation leaves to the Chief of Police. Therefore, Departmental vacation scheduling policy will be as follows:
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- A. Members of the Department required to sign up for vacation leave must do so according to their Bureau's schedule.
 - 1. For members in salary ranges 724 [Detective] and below, his/her total accumulated departmental time will be the determining factor governing the order in which he/she is allowed to sign up for vacation leave within his/her current assignment. "Total accumulated departmental time" is defined as the total number of years and months he/she has been employed as a full-time employee of the Wichita Police Department.
 - 2. For commissioned supervisors in salary ranges 725 [Sergeant and above], the order in which he/she will be allowed to sign up for vacation leave within his/her current section assignment will occur
 - a. by rank in descending order [e.g., all Captains, followed by all Lieutenants, followed by all Sergeants], and
 - b. each rank will be allowed to sign-up according to his/her total accumulated time in grade.
 - 3. For non-commissioned supervisors, his/her total accumulated departmental time will be the determining factor governing the order in which he/she is allowed to sign up for vacation leave within his/her current assignment. "Total accumulated departmental time" is defined as the total number of years and months he/she has been employed as a full-time employee of the Wichita Police Department.
 - 4. The number of persons allowed to take vacation leave during any one time period will be determined by the Bureau Commander, and will be based on staffing needs.
 - 5. When signing up for vacation, employees with interrupted service in the Police Department due to a prior termination will not receive seniority credit for prior service until they have been re-employed for one (1) year.
 - B. Members may sign up for vacation leave in the following manner:
 - 1. STAGE I: All members will be allowed to sign up for a minimum of four (4) to five (5) consecutive days of accrued vacation leave.

2. STAGE II: All members will be allowed to sign up for additional consecutive days of accrued vacation leave that remain available at the conclusion of STAGE I.
 - C. When vacation leave conflicts with a court appearance (3.101) it is the officer's responsibility to notify his/her supervisor. If the conflict cannot be resolved by the officer, the court appearance takes precedence and the vacation leave must be rescheduled.
- 211.06 R All members taking two (2) or more consecutive vacation days will complete and submit an online leave form a minimum of thirty (30) days prior to the date the vacation is to begin. Any exception to the thirty-day notification policy must be authorized by the member's immediate supervisor.
- 211.07 R A member who requests to take vacation in an increment of one (1) day will first obtain approval from his/her immediate supervisor at least 30 minutes in advance of the leave, before submitting an online leave form.

MILITARY LEAVE

- 211.08 R The City of Wichita Police Department complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA) pertaining to military leave. Employees who are members of the National Guard or a reserve component of the United States Armed Forces will be granted unpaid leave for required military activities.

Employees may, with supervisor approval:

- A. schedule vacation, personal holiday and/or well day leaves (if available) to coincide with military training;
- B. combine any of these leaves with Military Leave without pay for leaves of less than 30 days;
- C. arrive at an agreement with a coworker to voluntarily switch days off. In this instance, it is not necessary to submit a leave form.

If an employee is called into active military duty status, he or she may elect to use vacation pay in 8-hour increments to cover payroll deductions. In order to do this, employees must submit a City of Wichita Request for Vacation Hours During Military Leave (Less Than 30 Days) and forward it to their payroll liaison prior to the end of the pay period for which they would like to receive the pay. Advance submissions are acceptable.

Department members who are called to active military duty must inform their supervisor upon notification of orders, and the supervisor will promptly forward a copy of the military orders to the Fiscal Affairs Section through channels.

SICK LEAVE

- 211.09 R Any member of the Department who is unable to work due to illness or injury must report such inability to a supervisor at least 30 minutes prior to the time he/she is scheduled to report for work. The member of the department must indicate if applicable, whether the illness is Family Medical Leave (FML) related, or in the case of injury, whether the injury is work or non-work related. The Department member is required to keep his/her immediate supervisor informed of his/her progress and anticipated return to work.
- 211.10 R Any Department member who anticipates taking extended sick leave (i.e. more than ten working days) is required to notify the Chief of Police or his/her designee via an Officers Report through channels as soon as feasible. Extended leave of more than three consecutive full calendar days of incapacity may qualify for Family Medical Leave (FML), and the Department member should contact the City FMLA Administrator for eligibility and application information.
- 211.11 R The Chief of Police may require a member of the Department who has utilized sick leave for extended illness or injury to undergo a physical examination before being allowed to return to work. When contacted by the Chief or his/her designee, the Human Resource Department will arrange for a fitness for duty evaluation by the City's physician. A physician's statement authorizing a return to work must be provided before the employee may return.
- 211.12 R On the first day a sick/injured member of the Department returns to work, he/she will complete an online leave form, submit it electronically and notify his/her immediate supervisor for approval.
- 211.13 Any Departmental member taking, or anticipating taking sick leave that will place them into "without pay" (WOP) status must request to have the leave approved by the Chief of Police via an Officer's Report, through channels. This report will be submitted on the first day the member returns to work. If the leave is anticipated, the report will be submitted as soon as the member becomes aware of such circumstances.
- 211.14 R A bi-weekly Sick Leave Report is distributed to the Fiscal Affairs Section. Any Departmental member who takes sick leave without pay will be listed on the report and their Bureau Commander will be notified by Fiscal Affairs personnel. The Bureau Commander or his/her designee will investigate incidents of sick leave taken without pay to determine if misuse of leave is occurring. The Bureau Commander will notify the Division Commander of the results of the investigation. Any use of leave under the City's Family Medical Leave Act (FMLA) policy will be presumed bona fide without further investigation.

EDUCATIONAL LEAVE

- 211.15 If a member of the Department takes Educational Leave and subsequently returns to the Wichita Police Department, the period of time he/she was on leave will be deducted from his/her total accumulated departmental seniority.

ABSENTEEISM

- 211.16 If a supervisor believes there has been or is a developing pattern of sick leave misuse by an employee, suspected misuse will be investigated. The Human Resource Department will be contacted as a part of the investigative process.

The supervisor may take the following actions:

- A. access appropriate attendance, sick leave usage and accrual reports to review the employee's historical sick leave use, to look for trends or indicators that may suggest sick leave misuse;
- B. interview the employee and conduct a joint supervisor/employee review of leave to determine what issues if any have lead to sick leave misuse, and to allow the employee to explain, rebut or refute the misuse claim.

In the event a determination is made of documented sick leave misuse, the employee will be subject to discipline under the Regulations of the Wichita Police Department Policies and Regulations Manual.

The Department may require a physician's statement any time sick leave misuse is suspected.

Any use of leave under the City's Family Medical Leave Act (FMLA) policy will be presumed bona fide without further investigation.

Unauthorized Without Pay (WOP) Status (excluding FMLA)

- 211.17 In the event an employee goes into WOP status (excluding FMLA), i.e. the employee does not have sufficient leave to stay in pay status, the following actions will be taken unless waived by the Department Director:
- A. upon a 1st offense, the employee will receive a verbal counseling
 - B. upon a 2nd offense within the same year, the employee will receive a written reprimand
 - C. upon a 3rd offense within the same year, the employee will receive a one (1) day suspension
 - D. upon a 4th offense within the same year, the employee will be terminated from employment with the City
- 211.18 All incidents of WOP time usage will be monitored in relation to a 365-day cycle. For instance, if an employee uses sick days in WOP status dated 2/16/10, 7/14/10, 1/5/11, and 3/13/11, under this policy, the employee would have received the following:
- A. a verbal reprimand for 2/16/10
 - B. a written reprimand for 7/14/10
 - C. a suspension day for 1/5/11
 - D. a suspension day for 3/13/11 (this would have still been the 3rd offense within the 365-day calendar)
- 211.19 In the event of extenuating circumstances, the Chief of Police may give exception regarding the above action steps.